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Eli Lilly and Company
Lilly Corporate Center
Indianapolis, Indiana 46285
U.S.A.

Lilly Law Division**To: Commissioner for Patents**

Company: USPTO
Fax: (571) 273-8300
Phone:
Date: July 14, 2008

From: Danica Hostettler
Fax: (317) 276-3861
Phone: (317) 276-3711
Total Pages: 4

Subject: X-14978M

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Answers That Matter.

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CERTIFICATION OF FACSIMILE TRANSMISSION

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Signature

Date

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Applicant: MOHER Eric David

Group Art Unit:

Serial No.: 10/516,559

Examiner:

Application Date: June 6, 2003

Conf No.: 7051

US Nat'l Entry

Date (if applicable): November 30, 2004

For: PRODRUGS OF EXCITATORY AMINO ACIDS

Docket No.: X14978M

REQUEST FOR RE-CONSIDERATION OF PATENT TERM ADJUSTMENTCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR § 1.705(d) which states that if the patent indicates a revised patent term adjustment, any requests for reconsideration of the patent term adjustment indicated in the patent must be filed within two (2) months of the date the patent issued and must comply with the requirements of paragraphs (b)(1) and (b)(2) of this section.

Pursuant to the requirements of 37 CFR § 1.705(b)(1), Applicants hereby authorize the fee set forth in §1.18(e). Furthermore, pursuant to the requirements of 37 CFR §1.705(b)(2)(iv)(B), Applicants specify that there were no circumstances constituting a failure to engage in reasonable efforts to conclude processing or examination of such application as set forth in §1.704. Applicants further specify that 37 CFR 1.705(b)(2)(i), (ii), (iii) and (iv)A do not apply for this matter.

07/15/2008 HMARZ12 00000006 050840 10516559
01 FC:1455 200.00 DA

Serial No.: 10/516559

Applicants respectfully request reconsideration of patent term adjustment and reinstatement of all the reduced term.

Respectfully submitted,



Arleen Palmberg
Attorney for Applicants
Registration No. 40,422
Phone: 317-276-6015

Eli Lilly and Company
Patent Division/AP
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Indianapolis, Indiana 46206-6288

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FEE TRANSMITTAL				Complete if Known																																																																			
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1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number: 05-0840 Deposit Account Name: Eli Lilly and Company <input checked="" type="checkbox"/> Charge Any Additional Fee Required <input type="checkbox"/> Charge the Issue Fee Set in 37 CFR 1.18 at the time of allowance				3. ADDITIONAL FEES <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>Surcharge-late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>Surcharge-late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1251</td><td>120</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>450</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>1,020</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,590</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>2,160</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>500</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>500</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1452</td><td>500</td><td>Petition to revive-unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,500</td><td>Petition to revive-unintentional</td><td></td></tr> <tr><td>1502</td><td>1,400</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1801</td><td>790</td><td>Request for Continued Examination (RCE)</td><td></td></tr> </tbody> </table>				Large Entity Fee Code	Large Entity Fee (\$)	Fee Description	Fee Paid	1051	130	Surcharge-late filing fee or oath		1052	50	Surcharge-late provisional filing fee or cover sheet.		1053	130	Non-English specification		1251	120	Extension for reply within first month		1252	450	Extension for reply within second month		1253	1,020	Extension for reply within third month		1254	1,590	Extension for reply within fourth month		1255	2,160	Extension for reply within fifth month		1401	500	Notice of Appeal		1402	500	Filing a brief in support of an appeal		1452	500	Petition to revive-unavoidable		1453	1,500	Petition to revive-unintentional		1502	1,400	Utility issue fee (or reissue)		122	130	Petitions to the Commissioner		1801	790	Request for Continued Examination (RCE)	
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SUBMITTED BY				Complete (if applicable)																																																																			
Typed or Printed Name		Arleen Palmberg		Reg. Number		40,422																																																																	
Signature		<i>Arleen Palmberg</i>		Date		July 14, 2008																																																																	

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<u>Cheryl A. Karres</u> Type or print name of person signing certification	
<u>Cheryl A. Karres</u> Signature	<u>7-14-08</u> Date

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Applicant: MOHER Eric David Group Art Unit:
Serial No.: 10/516,559 Examiner:
Application Date: June 6, 2003 Conf No.: 7051
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Respectfully submitted,



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Registration No. 40,422
Phone: 317-276-6015

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Patent Division/AP
P.O. Box 6288
Indianapolis, Indiana 46206-6288

July 14, 2008

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FEE TRANSMITTAL			
Effective December 8, 2004			
TOTAL AMOUNT OF PAYMENT		(\$200.00)	
METHOD OF PAYMENT (check one)			
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